

REMARKS

These remarks are responsive to the final Official Action mailed March 22, 2006.

Claim 30 stands rejected under 35 USC 102 (e) as anticipated by Bukhari (US 6,763,222). Claim 30 has been canceled. This rejection is moot.

Claims 24, 2-4, 7, and 26-29 stand rejected as unpatentable over U.S. Patent 5,982,363 to Naiff in view of U.S. Patent 6,763,222 to Bukhari. This rejection is respectfully traversed.

Claim 24 is directed to

A card for communicating to and *from* a personal computer through a very small aperture terminal (VSAT), comprising:

(a) a circuit board which plugs into the personal computer and which is coupled to exchange data via an industry-standard bus in the personal computer; and

(b) radio frequency modulation circuitry on the circuit board, which *receives the data and transmits radio frequency signals* responsive thereto,

(c) a connector, through which a DC source external to the card powers the VSAT,

wherein the card is connected to said VSAT, said *VSAT comprising an upconverter and a power amplifier for transmitting data to an earth-orbiting satellite* from said card.

Naiff does not disclose a transmitter from the card to the satellite. On page 2, the instant Office Action states that “the satellite receiver inherently includes a transmitter for transmitting data from the card to the earth orbiting station.” Inherency means the element *must be* present in Naiff.

Naiff describes a peripheral card to *receive* television signals by cable or satellite. There is no description that the peripheral card is designed to *transmit* information. Naiff describes allowing a PC “to *receive*, select and process television signals...” Column 1, lines 5-11. In addition “The television signals *received by* PC 20 are processed by the television interface

peripheral card using resources already present in the PC.” Col. 5, lines 42-44. “The peripheral card need only include the specialized components necessary to process the *incoming* television and control signals.” Col. 5, lines 49-51. Such receiver cards are standard in the industry.

The Office Action considers the passage at column 6, lines 26-33, to teach that the peripheral card transmits data. This passage does not teach or suggest that the peripheral card is transmitting anything. Instead, it is stated that communication can be accommodated by an RF return path via coaxial or optical fiber cables.

Taking this passage in context of the application, the connections are made to the internet by modem or cable to *receive* data. If the reader continues to read the same paragraph, column 6, lines 33-37, “[a]pplication software running in the PC 20 directs the Internet data *to* the television interface so that the latter can incorporate this data into the composite signal forwarded to the user’s television for supply.” This again relates to the PC receiving from, not transmitting data to, the internet (or satellite). This passage does not teach or suggest that the PC card transmits anything to a satellite.

Moreover Naiff does not teach or suggest an “upconverter and a power amplifier” for transmitting data. The Office Action recognizes this deficiency and adds in Bukhari.

Prior to discussing Bukhari, it is pointed out that there is no reason to modify Naiff to include a card that transmits data. The PC card used in Naiff simply isn’t directed to transmitting anything to a satellite. Naiff describes a system to *receive* signals for use by the television watching consumer. Since Naiff does not teach or suggest transmitting data through a card, Naiff has no need of an upconverter and a power amplifier to enhance such transmission. There is simply no teaching of how Naiff would have to be modified to accommodate, not only a card as claimed, but also the upconverter and a power amplifier.

Bukhari does not solve the deficiencies of Naiff. As an initial matter, Bukhari does not teach or suggest a peripheral card that receives and/or transmits data. Thus, there is no reason one skilled in the art would have replaced the receiver card in Naiff for a card that both receives and transmits data based on Bukhari.

Bukhari simply discloses a VSAT terminal coupled to an indoor unit in a conventional manner. “During normal operations, the IDU 24 receives data from the user’s equipment (not

shown in Fig. 1) and modulates a reference signal in accordance with this data.” This user’s equipment is, of course, a PC or other similar device.

Turning to Figure 2, the outdoor unit 22 requires a MUX/DMUX (modem) 28 along with various other components such as the frequency multiplier and amplifier. There is no teaching or suggestion in Bukhari that the system could operate without the modem or that a frequency multiplier and amplifier could be simply removed and inserted into another system. That is, since Bukhari does not teach or suggest a peripheral card for transmission, Bukhari can not teach that an upconverter and a power amplifier can enhance transmission from such a card.

There is no teaching or suggestion in either Naiff or Bukhari that a modem and a peripheral card for transmission are interchangeable, particularly since neither document teaches or suggests a peripheral card capable of transmitting signals.

The Office Action can only be relying on hindsight to selectively choose items needed to cobble together the instant claims.

Claims 4, 7, and 26-29 are patentable for the same reason as claim 24.

Claim 8 stands rejected as unpatentable over Naiff, in view of Bukhari, and further in view of U.S. Patent 5,953,418 (Bock et al.). Claim 8 depends from claim 24 and is patentable for the same reason as claim 24.

Claim 9 and 25 stand rejected as unpatentable over Naiff, Bukhari and U.S. Patent 5,592,366 (Goldman). Claim 9 depends from claim 24 and is patentable for the same reasons discussed above. The rejection of claim 25 relies on the same combination of Naiff and Bukhari as discussed above and is deficient for the same reasons discussed above. Goldman in no way corrects the deficiencies discussed above.


CONCLUSION

In view of the above amendments and remarks, this application is in condition for allowance and issuance of a Notice of Allowance is respectfully requested. If any additional fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

Respectfully submitted,

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